

REMARKS

Claims 45-64, 66-73, 76-79, 82-84, and 86 are pending in the present application. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Claims 47-49, 57-61, 66-74, 76-79, 82-83, 85 and 86 were rejected under 35 U.S.C. § 112, second paragraph. Applicant has amended claims 47 and 61 to overcome this rejection. Claims 48 and 49 have been rewritten to positively recite the method steps claimed therein. Withdrawal of these rejections is respectfully traversed.

With respect to the rejection of claims 57-61, Applicant traverses this rejection in part. Applicant respectfully submits that the use of the term "network" in these claims is appropriate. In particular, for example, claim 57 recites that the first optical addressing signals are transmitted along a first path and at least one part of the first path extends in a network different than a network in which the optical data signals are transmitted to their destination. This language is consistent with the idea that there are two paths that may extend in two networks. However, Applicant agrees that the language in claims 59 and 60 may be confusing. Accordingly, Applicant has amended these claims to

recite that the at least one part of the first (or second) path extends in the network which uses at least one of the following protocols: MPLS, MP&S, IP, ATM and SS7. Applicant respectfully submits that this amendment overcomes the rejection of these claims. Withdrawal thereof is respectfully requested.

Regarding the rejection of claims 66-74, 76-79, 82-83, 85 and 86, this rejection is not understood. Each of the claims uses the format prescribed by 35 U.S.C. § 112, sixth paragraph in the correct manner. Applicant respectfully submits that each claim element which uses the term "means," specifies a function as required by the statute. For example, claim 66 recites "means for generating said first optical addressing signals..." This provides a proper function for the term "means." Likewise, in claim 76, the "signal generating means" is "for generating first optical address signals..." Thus, this claim provides proper functions for the term "means." *Ex parte Klum*, 159 USPQ 694 (BPAI 1967) is inapposite. In that case, the claim was invalidated because the terms "plate wings" and "wing" were used without any recitation of a function for those means. That is not the case here. Accordingly, withdrawal of this rejection is respectfully requested. If the rejection is maintained, the

examiner is requested to further explain his objection to the claims.

Claim 84 has been amended to overcome the informality noted in the Office Action.

Claims 44-47, 53, 55-56, 61, 63-67, and 72-86 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,600,583 to Fatehi. The examiner has also rejected claims 48-52, 54, 57-60, 62 and 67-71 under 35 U.S.C. § 103 as being unpatentable over Fatehi in view of U.S. Patent No. 6,160,652 to Nir. These rejections are respectfully traversed for the following reasons.

Claim 45 now recites in a telecommunication system, a method for routing optical data signals using one or more optical addressing links for carrying optical addressing signals, wherein a combination of the optical addressing signals provides addressing information required for establishing an address for routing the optical data signals, wherein the optical data signals are transmitted via an optical data link and wherein the one or more optical addressing links is at least partially different from the optical data link. This is not taught, disclosed or made obvious by the prior art of record.

Indeed, all the independent claims have been amended to include the limitation that one or more optical addressing links are at least partially different from the optical data link. This teaching is not found in the cited prior art. In particular, the Fatehi patent does not disclose using at least partially different optical paths for the addressing data in order to establish a path for the optical data signals. For at least this reason, Applicant respectfully submits that claims 45-47, 55, 66, 76 and 82 are patentable over the prior art of record. Further, Applicant respectfully submits that the claims depending therefrom, are patentable in and of themselves and as they depend from and include the recitations of the independent claims from which they depend.

In view of the above amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections of record. Applicant submits that the application is now in condition for allowance and early notice to this effect is most earnestly solicited.

If the Examiner has any questions he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

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